Remarks

The Office Action of January 25, 2005, as modified by the Supplemental Office Action of January 31, 2005, and the references cited therein have been carefully considered.

In this Amendment, the sole amendment to the application has been to correct the informality in claim 2 noted by the Examiner. In response thereto, claim 2 has been amended to avoid the antecedent basis problem by changing the term "the transverse direction" to "a transverse direction". With this Amendment, it is submitted that the rejection of claim 2 under 35 U.S.C. §112, second paragraph, as being indefinite has been overcome and should be withdrawn.

The Examiners, Mr. Phong H. Nguyen and Mr. Allan Shoap, are thanked for the courteous personal interview afforded to undersigned counsel on March 14, 2005. At that time, the differences between the invention as defined in each of on independent claims 1, 9 and 18 and the cited prior art to Wilson and Kranik et al. were extensively discussed. In particular, it was pointed out that each of the independent claims required a die having three different diameter portions, i.e., a shaft (16) constituting the largest diameter portion, a punching portion (26), constituting the smallest diameter portion, and an intermediate portion (25) with an intermediate diameter. Moreover, it was pointed out that with this arrangement, the shaft (15) is guided in a bushing (18), and the intermediate portion is guided in the opening of the stripper plate (21), while the smallest diameter punching portion (26), the diameter of which essentially corresponds to that of the desired punched hole, is not guided in the stripper plate. Contrary to this arrangement, as discussed, the die for each of the two references does not comply with these limitations of claims 1, 9 and 16. That is, the die in each of the Wilson and the Kranik et al. patents comprises only two different diameter portions, i.e., a shaft, guided in a bushing, and a punching portion extending into a stripper plate for guidance. However, there is nothing in either of these references corresponding to the claimed intermediate diameter portion of the die, which extends into and is guided by the opening of the stripper plate, while leaving the small diameter punching portion essentially unguided. Accordingly, at the conclusion of the interview, it was agreed that neither

the Wilson patent nor the Kranik et al. patent was readable on the invention as defined in any of independent claims 1, 9 and 18.

In view of the agreements of the interview, reconsideration and withdrawal of the rejection of claims 1, 3 and 5-7 under 35 U.S.C. §102(d) as being anticipated by the patent to Wilson is respectfully requested. In this regard, it is noted that the Remarks with regard to the Wilson patent found in the Amendment and Response filed on November 10, 2004, are still believed to be pertinent here and are incorporated by reference.

Moreover, in view of the agreements reached at the interview, reconsideration and withdrawal of the rejection of claims 1-20 under 35 U.S.C. §102(b) as being anticipated by the patent to Kranik et al. is respectfully requested.

Reconsideration of the rejection of claim 4 under 35 U.S.C. §103(a) as being unpatentable over the patent to Wilson in view of the patent to Kanawaza et al., and the rejection of claim 7 under 35 U.S.C. §103(a) as being unpatentable over the patent to Wilson in view of the patent to Hugo is respectfully requested. Each of these claims is dependent on claim 1, and in each of these grounds for rejection, the secondary references are cited simply to show specific features recited in the respective dependent claims. However, the secondary references do not overcome the basic deficiencies of the Wilson patent as discussed above with regard to claim 1, i.e., the three-part die. Accordingly, claims 4 and 7 are allowable over the cited applied prior art for at least the same reasons as claim 1 from which they depend.

Finally, reconsideration and withdrawal of the rejection of claims 5 and 6 under 35 U.S.C. §103(a) as being unpatentable over the patent to Wilson is respectfully requested. Again, each of these claims depends on claim 1, and therefore are allowable over the Wilson patent for at least the same reasons as claim 1. It is again mentioned that the rejection of claims 4-6 were discussed in the Remarks of the November 10, 2004, Amendment, and such remarks are incorporated herein by reference.

In view of the above amendment to claim 2, and the agreements reached at the interview, it is submitted that all of the pending claims, i.e., claims 1-20, are allowable over the cited and applied references and rejections of record and are in condition for allowance. Such action and the passing of this application to issue

therefore are respectfully requested.

If the Examiner is of the opinion that the prosecution of the application would advanced by a further personal interview, the Examiner is invited to telephone undersigned counsel to arrange for such an interview.

Respectfully submitted,
FITCH, EVEN, TABIN & FLANNERY

By: _____
Norman N. Kunitz
Registration No. 20,586

FITCH, EVEN, TABIN & FLANNERY
Suite 401L
1801 K Street, NW
Washington, DC 20006-1201
Telephone: (202) 419-7000
Facsimile: (202) 419 -7007